

# HOUSE . . . . . No. 2012

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House order No. 2011, as filed by Speaker DeLeo of Winthrop on February 10, 2009. As amended and adopted by the House February 11, 2009; and by the Senate on February 12, 2009. The House having concurred with the Senate in an amendment on February 12, 2009.

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## The Commonwealth of Massachusetts

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In the Year Two Thousand Nine.

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1       *Ordered*, That the joint rules of the Senate and House of Representatives for the years  
2       2009-2010 be adopted, as follows:

### *Committees.*

4       **1.** Joint standing committees shall be appointed at the beginning of the biennial  
5       session as follows:-

6       A committee on Children, Families and Persons With Disabilities;

7       A committee on Community Development and Small Businesses;

8       A committee on Consumer Protection and Professional Licensure;

9       A committee on Economic Development and Emerging Technologies;

10      A committee on Education;

11      A committee on Elder Affairs;

12      A committee on Election Laws;

13      A committee on Environment, Natural Resources and Agriculture;

14      A committee on Financial Services;

15      A committee on Health Care Financing;

16      A committee on Higher Education

17      A committee on Housing;

- 18 A committee on the Judiciary;
- 19 A committee on Labor and Workforce Development;
- 20 A committee on Mental Health and Substance Abuse;
- 21 A committee on Municipalities and Regional Government;
- 22 A committee on Public Health
- 23 A committee on Public Safety and Homeland Security;
- 24 A committee on Public Service;
- 25 A committee on Revenue;
- 26 A committee on State Administration and Regulatory Oversight;
- 27 A committee on Telecommunications, Utilities and Energy;
- 28 A committee on Tourism, Arts and Cultural Development;
- 29 A committee on Transportation;
- 30 A committee on Veterans and Federal Affairs
- 31 Each to consist of six members of the Senate, and eleven on the part of the House
- 32 except the committees on Economic Development and Emerging Technologies, Health
- 33 Care Finance and Transportation which shall consist of seven members of the Senate and
- 34 thirteen on the part of the House.
- 35 Within three calendar days of the opening of each annual session of the General Court
- 36 the committees on Rules of the Senate and House of Representatives shall meet
- 37 concurrently to establish at least one designated day of each week and designated hours
- 38 during that day which shall be set aside for the holding of formal sessions of the
- 39 respective branches and during which the joint standing committee shall not hold public

40 hearings or executive sessions of their members from the opening of the first annual  
41 session through the fourth Wednesday in April in that session.

42 Within four weeks of the appointment of joint standing committees in the first annual  
43 session of the General Court, each joint standing committee shall adopt rules of  
44 procedure regarding the conduct of said committee. Said rules of procedure, together with  
45 any amendments which might be made thereto from time to time, shall be filed with the  
46 Clerk of the Senate and the Clerk of the House and shall be available to the public and  
47 members of the General Court and shall, to the extent practicable, be posted on the  
48 Legislative Web Page.

49 Except as provided by Joint Rule 1E, each matter shall be referred only to one joint  
50 committee for consideration and all reports of matters by joint committees shall be made  
51 to the House or the Senate, pursuant to Joint Rule 4, not to another joint committee. The  
52 committee to which a matter is initially referred may discharge the matter to another  
53 committee with jurisdiction over the matter.

54 Matters referred by either the Senate or the House to its committee on Ways and  
55 Means shall be considered by the respective committees of the two branches, acting as a  
56 joint committee, when, in the judgment of the chairmen of the respective committees of  
57 the two branches, the interests of legislation or the expedition of business will be better  
58 served by such joint consideration. Matters may also be referred to the committees on  
59 Ways and Means, of the two branches, as a joint committee.

60 The committees on Rules, together with the presiding officers of the two branches,  
61 acting concurrently, may consider and suggest such measures as shall, in their judgment,

62 tend to facilitate the business of the session and a majority vote of the two branches shall  
63 be required to approve such recommendations.

64 In order to assist the House and the Senate in their (1) consideration and enactment of  
65 new legislation and modifications of existing laws, when either are deemed to be  
66 appropriate; (2) evaluation of the effectiveness and administration of laws and programs  
67 previously enacted; and (3) appraisal of the conditions and circumstances which may  
68 indicate the desirability of enacting new legislation, the various joint committees shall  
69 have the following oversight responsibilities:

70 (i) each joint committee shall review and study, on a continuing basis, the  
71 implementation, administration, execution and effectiveness of those laws, or parts of  
72 law, the subject matter of which is within the jurisdiction of that committee, the  
73 administrative regulations adopted to implement those laws, and those state agencies or  
74 entities having responsibilities for the administration and execution of such laws;

75 (ii) in carrying out these review and study activities, each committee shall determine  
76 whether such laws, administrative regulations and programs thereunder are being  
77 implemented in accordance with the intent of the General Court and whether such laws,  
78 administrative regulations and programs should be continued, curtailed or eliminated;

79 (iii) each committee shall also review and study any conditions and circumstances  
80 which may indicate the necessity or desirability of enacting new legislation within the  
81 jurisdiction of that committee, whether or not any matter has been introduced with  
82 respect thereto, and shall, on a continuing basis, undertake research on matters within the  
83 jurisdiction of that committee.

Committees shall coordinate oversight activities, under the direction of the presiding officers of both branches, for the purpose of achieving the maximum objectives of clauses (i), (ii) and (iii).

Each committee shall, upon completion of its oversight hearings, be authorized to report to the General Court the results of its findings and recommendations together with accompanying corrective legislation, if any, by filing the same with the Clerk of the House of Representatives or the Clerk of the Senate. Copies of such reports shall be printed and, whenever practicable, made available to all members electronically and to the public via the Internet. The disposition of said reports shall be determined by the Clerks with the approval of the Speaker and the President.

The Senate and House chairmen of a joint committee may appoint subcommittees to investigate and study any matter referred to it in a legislative session. Any subcommittee so established shall be co-chaired by a majority member of the Senate and a majority member of the House who are members of the joint standing committee appointing the subcommittee. The composition of the subcommittee shall be proportional to the composition of the appointing joint committee; provided, however, that not less than ten percent of the subcommittee's members shall be from the minority party. Chairmen of subcommittees shall not be considered chairmen for the purposes of section 2 of chapter 3 of the acts of 2005. A subcommittee may, upon completion of an investigation and study, report the results thereof together with legislation, if any, by filing the same with the Senate and House chairmen of the appointing joint committee.

Temporary employees of the general court assigned to a joint committee who are students at an accredited education institution or employees or grantees of other non-

profit organizations under section 501 (c) (3) of the Internal Revenue Code may receive compensation from such organization, according to that organization's regular program of providing such compensation for temporary governmental or public service employment.

A temporary employee's Senate or House supervisor shall establish the employee's total compensation, shall verify that the sum of the employee's state compensation, if any, and any outside compensation that the employee is to receive under this rule would not

exceed this total compensation, and shall file the written terms of the employee's

compensation with the Senate Personnel Office or House Human Resources Office,

where it shall be available for public inspection. The temporary employee shall sign a

confidentiality and ethics agreement provided by the Senate Personnel Office or House

Human Resources Office. [Amended Jan. 6, 18 82; Jan. 5, 18 83; Jan. 7, 18 84; Jan. 8 and 26, 1885; Jan. 8, 18

86; Jan. 12, 18 87; Jan. 9, 18 88; Jan. 28, 18 89; Jan. 8, 18 90; Feb. 2, 18 91; Jan. 11 and Feb. 10, 18 92; Feb. 7, 18 93;

Jan. 8, 1894; Jan. 7, 18 95; Jan. 7, 18 96; Jan. 11, 18 97; Jan. 10, 18 98; Jan. 9, 18 99; Jan. 22 and 29, 1901; Jan. 6, 19

02; Jan. 9, 19 03; Jan. 8, 19 04; Jan. 6, 19 05; Jan. 4, 19 07; Jan. 5, 19 10; Jan. 4, 19 11; Jan. 1, 19 13; Jan. 12, 19 14;

Jan. 2, 19 18; Jan. 1 and 8 and Feb. 21, 1919; Jan. 7, 19 20; Jan. 5, 19 21; April 17 and 30, 1925; Jan. 5, 19 27; Jan. 7,

19 31; Jan. 6, 19 37; Jan. 4, 19 39; Jan. 1, 19 41; Jan. 3, 19 45; Jan. 2, 19 46; Jan. 6, 19 47; Feb. 1, 19 49; Jan. 7, 19 53;

Jan. 7, 19 59; Jan. 30, 19 61; Jan. 7, 19 63; Jan. 12, 19 65; Feb. 24, 19 65; Mar. 10, 19 66; Jan. 30, 19 67; Jan. 7, 1971 ;

July 23, 1974 ; Sept. 30 and Oct. 12, 1976 ; Nov. 3, 1981 ; Dec. 21, 1981 ; Mar. 15, 1982 ; Oct. 3, 1983 ; June 3, 1985 ;

Jan. 25 and Mar. 14, 1988 ; Mar. 27, 1995 , June 12, 1995 ; July 17, 2003 ; Jan. 26, 2005; July 21 and September 20,

2005; Feb. 20, 2007; Feb 12, 2009.]

**1A.** All meetings of joint committees acting concurrently, Senate and House standing

committees, special committees of the Senate and House of Representatives, and joint

special committees and committees of conference on the disagreeing votes of the two

branches shall be open to the public, unless a majority shall vote otherwise. [Adopted July 17,

1973 . Amended July 18, 1974; Feb. 12, 2009 .]

132       **1B.** A joint standing committee shall hold a public hearing on each matter referred to  
133 it in each legislative session. [Adopted June 3, 1985; Amended Feb. 12, 2009 .]

134       **1C.** All joint standing committees shall schedule committee hearings and executive  
135 sessions so as not to conflict, to the extent feasible, with the schedules of other  
136 committees and so as not to conflict with the day of the week and hours of the day which  
137 have been designated under Joint Rule 1 as the day of the week and times during that day  
138 set aside for formal sessions of the respective branches from the first Wednesday in  
139 January through the fourth Wednesday of April in the first annual session. [Adopted June 3,  
140 1985; Amended June 12, 1995 .]

141       **1D.** All meetings of joint standing committees, and special joint committees of the  
142 Senate and House of Representatives, shall be open to the public, and any person shall be  
143 permitted to attend any such meeting unless such committee convenes in executive  
144 session, as provided herein. All joint standing committees shall determine a schedule for  
145 committee hearings to be held from the beginning of the first annual session through the  
146 fourth Wednesday in June in said session. These committee schedules shall be submitted  
147 to the Sergeant-at-Arms who shall cause them to be published. Establishment of such  
148 schedules shall not preclude joint standing committees from scheduling additional  
149 hearings or meetings as needed. No executive session shall be held except upon  
150 extraordinary circumstances and only after the committee has first convened in an open  
151 session for which notice has been given, the presiding officer has stated the purpose of  
152 the executive session, a majority of the committee members present has voted to go into  
153 executive session, the vote of each member has been recorded on a roll call vote, and the  
154 presiding officer has stated before the executive session if the committee will reconvene  
155 after the executive session. The records of all such roll calls shall be kept in the offices of

156 the committee for the duration of the General Court during which said vote was recorded,  
157 and shall be available for public inspection upon reasonable notice and during regular  
158 office hours.

159 All joint standing committees, and special joint committees of the Senate and House  
160 of Representatives, shall notify the Sergeant-at-Arms of the time, place and agenda of all  
161 public hearings and executive sessions no less than forty-eight hours prior to the time of  
162 such meetings. The Sergeant-at-Arms shall notify the clerk, who shall make such notice  
163 available to all members electronically and to the public via the Internet whenever  
164 practicable.

165 Nothing contained in this rule shall prohibit a joint standing committee or special joint  
166 committee of the Senate and the House of Representatives from taking appropriate action  
167 including, but not limited to, the exclusion of a person from a committee meeting in order  
168 to prevent the disruption of or interference with committee proceedings.

169 The forty-eight hour requirement shall be suspended in an emergency only after all  
170 reasonable efforts have been made to contact all committee members and upon a  
171 recorded vote of at least a majority of the members of each branch appointed to the  
172 committee, but no less than two-thirds of the members of each branch voting.

173 A meeting of a committee may be recorded by a person in attendance by means of a  
174 recorder or any other means of audio/visual reproduction except when a meeting is held  
175 in executive session; provided, that a person seeking to record a meeting of a committee  
176 notifies the Chairs of the committee prior to commencing such recording; and provided  
177 further that during such recording there is no interference with the conduct of the  
178 meeting. [Adopted June 3, 1985 . Amended June 12, 1995; Feb. 20, 2007 .]



179       **1E.** The joint standing committee on Health Care Financing shall review all legislation  
180 relating to health care to evaluate the appropriateness and fiscal effect of such legislation.

181 A matter within the jurisdiction of said committee may, if appropriate, initially be  
182 referred to another joint standing committee sharing jurisdiction of the subject-matter.

183 Any matter reported favorably by such joint standing committee shall be referred to the  
184 joint committee on Health Care Financing; provided, however, that notwithstanding the  
185 provisions of any rule to the contrary, any such matter so reported shall not be read a first  
186 time in the branch in which the report was received. The next favorable report on any  
187 such matter, if made by a joint committee, may be made to either branch. Such next  
188 favorable report shall be considered the first reading. The branch of origin for any such  
189 bill so reported shall be the branch receiving such favorable report.

190 For all matters initially referred to the joint committee on Health Care Financing and  
191 not previously referred to another joint committee, the joint committee on Health Care  
192 Financing may make favorable reports to either branch, at the discretion of the  
193 committee, except that reports on money bills shall be made to the House.

194 In compliance with the provisions of section 38A of chapter 3 of the General Laws,  
195 the joint committee on Health Care Financing when reporting on bills referred to them  
196 shall include therewith a fiscal note prepared in accordance with the provisions of section  
197 3A of chapter 29 of the General Laws, showing the estimated cost or the fiscal effect of  
198 the proposed legislation, if, in the opinion of said committee, such cost or fiscal effect  
199 exceeds the sum of one hundred thousand dollars; provided, however, that any matter  
200 reported by the committee on Health Care Financing with a fiscal effect less than one

201 hundred thousand dollars shall not be referred, under the rules, to the committee on Ways  
202 and Means.[Adopted Jan. 26, 2005; Amended May 19, 2005; Feb. 20, 2007; Feb. 12, 2009.]

203 **1F.** [Omitted February 12, 2009].

204 **1G.** The President of the Senate, the Speaker of the House of Representatives,  
205 Minority Leader of the Senate, Minority Leader of the House of Representatives, the  
206 Senate and House chairmen and the Senate and House ranking minority members of the  
207 joint committee on Public Safety and Homeland Security shall be authorized to receive  
208 security clearance from federal and state homeland security officials in order to be  
209 granted access to confidential homeland security briefings, information and materials.  
210 The President of the Senate, the Speaker of the House of Representatives, the Senate and  
211 House committee chairmen and the Senate and House ranking minority members may  
212 designate one or more members of their staff to be authorized to receive such security  
213 clearance.

214 Any person who receives security clearance under this provision shall sign any and all  
215 confidentiality agreements required by homeland security officials. The breach of any  
216 such confidentiality agreement shall constitute a violation of the Joint Rules of the Senate  
217 and House of Representatives. Any alleged violation of a confidentiality agreement shall  
218 be referred for investigation to the Senate committee on Ethics and Rules or the House  
219 committee on Ethics, respectively, and, if appropriate, to law enforcement authorities for  
220 potential criminal prosecution. [Adopted Jan. 26, 2005; Amended Feb. 12, 2009.]

221 **2.** No member of either branch shall act as counsel for any party before any committee  
222 of the Legislature.

223       **2A.** No member of either branch shall purchase, directly or indirectly, the stock or  
224 other securities of any corporation or association knowing that there is pending before the  
225 General Court any measure specially granting to such corporation or association any  
226 immunity, exemption, privilege or benefit or any measure providing for the creation of,  
227 or directly affecting any, contractual relations between such corporation or association  
228 and the Commonwealth. This rule shall not apply to the purchase of securities issued by  
229 the Commonwealth or any political subdivision thereof. [See G.L. chapter 268, section  
230 10.] [Adopted Jan. 16, 1922.]

231       **3.** When the General Court is in session, authorization for any committee of the Senate  
232 or House of Representatives to travel during the session of the General Court shall be  
233 approved by a vote of two-thirds of the members of its branch present and voting. When  
234 the General Court is in session, authorization for any committee of the Senate or House  
235 of Representatives to sit and travel during the recess of the General Court shall be  
236 approved by a vote of two-thirds of the members of each branch present and voting.  
237 During the recess of the General Court, the President of the Senate and the Speaker of the  
238 House of Representatives may, by written consent, allow standing committees of their  
239 respective branches or appoint special committees to sit, travel and incur expenses not  
240 exceeding sums authorized in writing by said presiding officers and appropriated for such  
241 purposes. When the General Court is in session, authorization for any joint committee to  
242 travel during the session, or to sit or travel during the recess, of the General Court shall  
243 be approved by a vote of two-thirds of the members of each branch present and voting.  
244 During the recess of the General Court, the President of the Senate and the Speaker of the  
245 House of Representatives, acting jointly, may, by written consent, allow joint committees

or appoint joint special committees to sit, travel and incur expenses not exceeding sums authorized in writing by said presiding officers and appropriated for such purposes. The Clerks of the Senate and House of Representatives shall be notified of any appointments made and authorizations granted during the recess for said committees to sit, travel and incur expenses during the recess and the Clerks shall enter such information in the journals for the next year, as soon as may be practicable. Committees authorized by the presiding officers to sit during the recess in the odd numbered year shall report not later than the fourth Wednesday of January during the following year and committees authorized by the presiding officers to sit during the recess in the even numbered year shall report not later than the fourth Wednesday of December during the same year.

No committee shall travel except at the expense of the Commonwealth. In any case when a committee is authorized to travel, the Sergeant-at-Arms shall provide transportation only for members of the committee and the officer accompanying them, and the reasonable traveling expenses of such members and officers only shall be charged to or paid by the Commonwealth. Neither the Sergeant-at-Arms nor the officer detailed by him shall permit any person to accompany such committee while in the discharge of its official duties unless invited by vote of the committee.

All bills for the traveling expenses of committees shall be submitted by the Sergeant-at-Arms to the committee by whom they have been incurred and shall be approved by a majority of said committee before being presented to the Comptroller for payment.

[Adopted Feb. 7, 1890; Amended Feb. 2, 1891 ; Jan. 20, 1904 ; April 17, 1925 ; March 2, 1943 ; July 27, 1950 ; Oct. 18, 1971 ; March 28, 1972 ; Jan. 15, 1973; Feb. 12, 2009.]

**3A.** A joint standing committee may, upon the written and signed report of two-thirds of the members of the Senate and two-thirds of the members of the House appointed to

said committee, report a bill or other form of legislation without said legislation being founded upon petition; provided, however, that matters so reported shall be germane to the subject matters regularly referred to the committee. The committee shall hold a public hearing on such bill or other form of legislation before it is reported. A bill or other form of legislation so reported shall be placed in the Orders of the Day by the Clerk of the respective branch wherein it is reported or referred to a standing committee of said branch under the rules. All reports of committees not founded upon petition shall bear the designation "committee bill, resolve, order or resolution", as the case may be, in the Orders of the Day. Committees to which messages from the Governor, reports of state officers, boards, committees, commissions and others authorized to report to the General Court, may report by bill or otherwise such legislation as may be germane to the subject matter referred to them. [Adopted June 3, 1985 .]

**4.** Favorable reports, and adverse reports on subjects of legislation other than petitions, by joint committees may be made to either branch, at the discretion of the committee, having reference to an equal distribution of business between the two branches, except that reports on money bills shall be made to the House and if adverse reports on matters other than petitions which are accompanied by money bills are accepted by the House, this shall constitute final rejection. Adverse reports by joint committees on petitions shall be made to the branch in which the petition was originally introduced, except that such adverse reports on petitions accompanied by proposed money bills shall be made to the House; and, if accepted by the branch in which they are made, shall be considered as a final rejection. When a report is made from any committee to either branch, and the subject-matter thereof is subsequently referred therein to a joint committee, such

293 committee, except for the committee on Health Care Financing, shall report its action to  
294 the branch in which the reference originated. [See also Joint Rule 5.]

295 A vote of a joint standing committee to give legislation a favorable or adverse report  
296 shall be conducted by a roll call upon request of two committee members present at the  
297 committee meeting. Such votes shall be recorded on appropriate forms that show all votes  
298 for and against the particular committee action. The records of all such roll calls shall be  
299 kept in the offices of the committee for the duration of the General Court during which  
300 said vote was recorded, and shall be available for public inspection upon reasonable  
301 notice and during regular office hours.

302 A report of a joint standing committee will not be final and shall not be filed until all  
303 committee members have been given the opportunity to sign an appropriate form to  
304 accompany said report signifying approval of, dissent or abstention from, said report. No  
305 signature shall be valid unless the report to which the signature is affixed includes the  
306 substantially complete text of the legislation being reported. [Amended Jan. 3, 1952; April 8, 1959  
307 ; June 7, 1965 ; Jan. 7, 1971 ; March 11, 1974 ; June 3, 1985; Feb. 20, 2007.]

308 **4A.** In compliance with the provisions of section 38A of chapter 3 of the General  
309 Laws, all joint committees of the General Court when reporting on bills referred to them  
310 shall include therewith a fiscal note prepared in accordance with the provisions of section  
311 3A of chapter 29 of the General Laws, showing the estimated cost or the fiscal effect of  
312 the proposed legislation, if, in the opinion of said committee, such cost exceeds the sum  
313 of one hundred thousand dollars. [Adopted Jan. 15, 1973 .]

314 **5.** Matters reported adversely by joint committees and the committees on Rules of the  
315 two branches, acting concurrently, may be recommitted to the same committees at the  
316 pleasure of the branch acting thereon, and bills or resolves may be recommitted in either

branch. If a bill or resolve is laid aside in either branch for the reason that it is declared to be broader in its scope than the subject-matter upon which it is based, the subject-matter shall be recommitted to the committee. A concurrent vote shall, however, be necessary for recommitment, with instructions. After recommitment, report shall, in all cases, be made to the branch originating the recommitment. [Amended Feb. 2, 1891 ; April 11, 1935 ; Jan. 6, 1947 ; May 7, 19 53 ; March 26, 1963 ; Jan. 30, 1967 ; Jan. 7, 1971 ; March 11, 1974 .]

**6.** Bills and resolves reported by joint committees shall be printed or fairly written in a legible hand, without material erasure or interlineations, and on not less than one sheet of paper, with suitable margins, and with spaces between the several sections and shall be made available to all members electronically and to the public via the Internet whenever practicable. [Amended Jan. 28, 1889 ; Jan. 9, 1941 ; Feb. 8, 1949; Feb. 12, 2009.]

### ***Joint Petitions.***

**6A.** A member of the Senate and a member of the House of Representatives may file a joint petition in either branch and shall endorse their name thereon and a brief statement of the nature and object of the instrument and the reading of the instrument shall be dispensed with, unless specially ordered. The petition shall be filed in the office of the clerk of either the Senate or House of Representatives, depending on whether it is a "Joint Senate/House Petition" or a "Joint House/Senate Petition" but the Journal records in the Senate and House of Representatives shall carry both members' names as presenters of the petition. [Adopted Jan. 15, 1973 .]

**7.** Whenever, upon any application for an act of incorporation or other legislation, the purpose for which such legislation is sought can be secured without detriment to the public interests by a general law or under existing laws, the committee to which the

matter is referred shall report such general law, or "ought not to pass". [Amended Feb. 2, 18 91 ; Feb. 7, 18 93 ; Jan. 7, 1971 .]

**7A.** A petition for legislation to authorize a county to reinstate in its service a person formerly employed by it, or to retire or pension or grant an annuity to any person, or to increase any retirement allowance, pension or annuity, or to pay any sum of money in the nature of a pension or retirement allowance, or to pay any salary which would have accrued to a deceased official or employee but for his death, or to pay any claim for damages or otherwise, or to alter the benefits or change the restrictions of any county retirement or pension law, shall, subsequently to the procedure required by Senate Rule No. 20 and by House Rule No. 24, be reported adversely, unless, when filed it be the petition of, or be approved by, a majority of the county commissioners. [Adopted April 29, 1915 . Amended Jan. 13, Feb. 19 and Dec. 22, 1920 ; May 24, 1926; April 11, 1935 ; April 22, 1937 ; Jan. 12, 1939 ; Jan. 15, 1945 ; Feb. 20, 1951 ; Jan. 30, 1967 ; Jan. 7, 1971 ; Jan. 15, 1973 .]

**7B.** A petition, the operation of which is restricted to a particular city or town (and which does not affect the powers, duties, etc., of state departments, boards, commissions, etc., or which does not affect generally the laws of the Commonwealth) and which is not filed in conformity with Section 8 of Article LXXXIX of the Amendments to the Constitution shall, subsequent to the procedure required by Senate Rule 20 and House Rule 24, be reported adversely, unless when filed, be on petition filed or approved by the voters of a city or town, or the mayor and city council, or other legislative body, of a city, or the town meeting of a town. A joint committee to which is inadvertently referred a petition or other subject of legislation the operation of which is restricted to a particular city or town and which is not in conformity with Section 8 of Article LXXXIX of the Amendments to the Constitution shall report a general law which applies alike to all



cities, or to all towns, or to all cities and towns, or to a class of not fewer than two; or shall report "ought not to pass", with the further endorsement that it "would be unconstitutional to enact such special law". [Adopted Jan. 13, 1920 . Amended Feb. 19 and Dec. 22, 1920; May 24, 1926; April 11, 1935; April 22, 1937; Jan. 12, 1939; Jan. 9, 1941; Jan. 15, 1945; Feb. 20, 1951; Jan. 30, 1967; Jan. 7 and Mar. 22, 1971 ; Jan. 15, 1973 .]

***Notice to Parties Interested.***

**8.** No legislation affecting the rights of individuals or the rights of a private or municipal corporation, otherwise than as it affects generally the people of the whole Commonwealth or the people of the city or town to which it specifically applies, shall be proposed or introduced except by a petition, nor shall any bill or resolve embodying such legislation be reported by a committee except upon a petition duly referred, nor shall such a bill or resolve be reported by a committee, whether on an original reference or on a recommittal with instructions to hear the parties, until it is made to appear to the satisfaction of the committee that proper notice of the proposed legislation has been given by public advertisement or otherwise to all parties interested, without expense to the Commonwealth, or until evidence satisfactory to the committee is produced that all parties interested have in writing waived notice. A committee reporting adversely for want of proper notice or of a waiver thereof shall set forth this fact in its report and no bill or resolve shall be in order as a substitute for, or amendment of, such report. Objection to the violation of this rule may be taken at any stage prior to that of the third reading. [Adopted Feb. 7, 18 90 . Amended Dec. 22, 1920 ; Jan. 12, 1939 ; Jan. 15, 1945; Jan. 7, 1971 .]

**9.** A petition for the incorporation of a city or town, for the annexation of one municipality to another, for the consolidation of two or more municipalities or for the division of an existing municipality, or for the incorporation or revival of a railroad, street

388 railway, elevated railroad, canal, telephone, telegraph, water, gas, electric light, power or  
389 other public service corporation, for the amendment, alteration or extension of the charter  
390 or corporate powers or privileges, or for the change of name, of any such company,  
391 whether specially incorporated or organized under general laws, or for authority to take  
392 water for a water supply, or relative to building structures in or over navigable or tide  
393 waters, shall be placed on file, and not referred to a committee, unless the petitioner has  
394 given the notice and followed the procedure required by section 5 of chapter 3 of the  
395 General Laws. But if, no objection being raised, any such petition is referred to a  
396 committee without such required notice or procedure, the committee shall forthwith  
397 report adversely, setting forth as the reason for such report failure to comply with the  
398 provisions of law, unless evidence satisfactory to the committee is produced that all  
399 parties interested have in writing waived notice. In case a bill or resolve is reported upon  
400 such a petition, after proof of such waiver of notice, this fact shall be set forth in the  
401 report of the committee. When an adverse report is made by a committee, on account of  
402 failure to give the required notice, no bill or resolve shall be substituted for such report,  
403 nor shall such report be recommitted or referred to another committee.

404 A petition for the establishment or revival, or for the amendment, alteration or  
405 extension of the charter or corporate powers or privileges, or for the change of name, of  
406 any corporation, except a petition subject to the provisions of the preceding paragraph,  
407 shall be transmitted by the Clerk of the branch in which it is filed to the office of the State  
408 Secretary. If such a petition is returned by said Secretary with a statement that the  
409 petitioner has failed to comply with the requirements of section 7 of chapter 3 of the

410 General Laws, said petition shall be placed on file, and shall not be referred to a  
 411 committee.

412 Any petition placed on file for want of proper notice or procedure under this rule shall  
 413 not affect action upon any other measure involving the same subject matter. [Adopted Feb. 7,  
 414 1890 . Amended Feb. 2, 1891; Feb. 3, 1898; Jan. 16, 1903; Feb. 19 and Dec. 22, 1920; May 24, 1926; Feb. 27, 1929;  
 415 April 11, 1935; Jan. 6, 1938; Jan. 12, 1939; Jan. 9, 1941; Jan. 15, 1945; April 8, 1959; Jan. 7, 1963; Jan. 7, 1971 ; Jan.  
 416 15, 1973 , June 12, 1995; Feb. 12, 2009.]

417 ***Limit of Time allowed for Reports of Committees.***

418 **10.** All joint committees and the committees on Rules of the two branches, acting  
 419 concurrently, shall make final report not later than the third Wednesday of March of the  
 420 second annual session of the General Court on all matters referred to them before the  
 421 third Wednesday in February of the second annual session and within 30 days on all  
 422 matters referred to them on and after the third Wednesday in February of the second  
 423 annual session of the General Court except that the committee on Health Care Financing  
 424 shall make final report not later than the last Wednesday of April of the second annual  
 425 session on all matters referred to them on or before the fourth Wednesday of March and  
 426 within 30 days on all matters referred to it after the fourth Wednesday in March of the  
 427 second annual session of the General Court. When the time within which said committees  
 428 are required to report has expired, all matters upon which no report has then been made  
 429 shall forthwith be reported by the chairman of the committee on the part of the branch in  
 430 which they were respectively introduced, with an adverse recommendation under this  
 431 rule. If the chairman fails to make such report by the end of the legislative day next  
 432 following the expiration date, all matters remaining unreported shall be placed in the  
 433 Orders of the Day by the Clerk of the branch in which the matter was originally filed with

an adverse report under this rule. Matters which have been referred under the provisions of Joint Rule 29, upon which the chairmen of the committees on Rules fail to make a report, shall be placed by the respective Clerks in the Orders of the Day of the branch in which the subject matter was referred to said committees. Committees to whom are referred subjects of legislation may combine petitions of similar subject matter, or other forms of legislation of similar subject matter, into one adverse report, and the report thereon shall be that said petitions or other forms of legislation "ought NOT to pass," and if the report is accepted, all the matters contained therein shall be disposed of. However, petitions upon which an adverse report is accepted in only one branch may not be combined with other subjects of legislation upon which adverse reports must be accepted, in concurrence. The provisions of this rule shall not apply to petitions referred to the committees on Rules of the two branches, acting concurrently, under the provisions of the second paragraph of Joint Rule 12. This rule shall not be rescinded, amended or suspended, except by a concurrent vote of four-fifths of the members of each branch present and voting thereon. Notwithstanding the provisions of Joint Rule 30, this rule shall not be rescinded, amended or suspended more than three times except by unanimous consent. [Amended Feb. 2, 1891; Jan. 25, 1894; Jan. 16, 1903; Jan. 20, 1904; Dec. 22, 1920; April 17, 1925; Jan. 12, 1939; Jan. 15, 1945; Jan. 6, 1947; May 7, 1953; Jan. 27, 1955; Jan. 30, 1967; Jan. 7, 1971 ; Feb. 4, 1974 , June 12, 1995 ; July 17, 2003; Feb. 20, 2007; Feb. 12, 2009.]

**10A.** The form for all subjects of legislation receiving a favorable report shall be "ought to pass." The form for all subjects of legislation receiving an adverse report shall be "ought NOT to pass." A committee to whom is referred any other matter may report recommending that the same be placed on file. [Adopted Jan. 7, 1971.]

*Committees of Conference.*

**11.** Committees of conference shall consist of three members on the part of each branch, representing its vote; and their report, if agreed to by a majority of each committee, shall be made to the branch asking the conference, and may be either accepted or rejected, but no other action shall be had, except through a new committee of conference.

Committees of conference to whom are referred matters of difference in respect to bills or resolves, shall, before filing their reports, have the same approved by each committee on Bills in the Third Reading. [Amended April 22, 1937; Feb. 12, 2009.]

**11A.** Committees of conference to whom are referred matters of difference in respect to appropriation bills, including capital outlay programs, shall, before filing their reports, have the same approved by the committees on Bills in the Third Reading of the two branches, acting concurrently.

Upon the appointment of a committee of conference to whom matters of difference in respect to any appropriation bill or in respect to any bill providing for capital outlay programs and projects are referred, the clerk of the branch requesting said committee of conference shall cause to be printed and made available to members of the General Court a list of the matters in disagreement identified by item number and item purpose and showing the amount appropriated therefor by each branch of the General Court, and any other matters in disagreement and the position of each of the said branches with respect thereto.

The report of said committee of conference shall consist of the matters of difference so referred and so identified, showing the amounts appropriated therefor by each of the said

branches and other matters in disagreement and the position of each branch with respect thereto, and shall state said committee's recommendations with respect to the matters so referred. Matters on which there exists no disagreement between the branches shall not be disturbed by the committee on conference.

The committees on ways and means of each branch of the General Court shall assist such committee of conference in any and all matters necessary to the preparation and completion of its report. [Adopted July 30, 1974 . Amended Oct. 3, 1983 .]

**11B.** No report from a committee of conference shall be considered or acted upon by either branch until the calendar day following during which said report shall have been in print and available to the public and to the members of the General Court. The committee shall file its report no later than eight o'clock P.M. on the day preceding its consideration and the General Court shall not consider said report before one o'clock P.M. on the following day, except that a report from such committee of conference that it is unable to agree may be considered and acted upon at the time that such report is file. [Adopted Oct. 3, 1983. Amended July 17, 2003; July 21 and September 20, 2005.]

**11C.** Reports, other than those filed pursuant to Rule 11A, from a committee of conference shall, whenever practicable, be accompanied by a summary which shall be filed with the clerk. [Adopted Feb. 12, 2009.]

**11D.** Upon the filing of a report by a committee of conference the clerk shall, as soon as practicable, make said report and the summary thereof available to all members electronically and to the public via the Internet. [Adopted Feb. 12, 2009.]

***Limit of Time allowed for New Business.***

**12.** Resolutions intended for adoption by both branches of the General Court, petitions, and all other subjects of legislation, shall be deposited with the Clerk of either

505 branch prior to five o'clock in the afternoon on the third Friday in January of the first  
506 annual session of the General Court.

507 All such matters except messages from the Governor, reports required or authorized to  
508 be made to the General Court and petitions filed or approved by the voters of a city or  
509 town, or the mayor and city council, or other legislative body of a city, or the town  
510 meeting of a town, for the enactment of a special law in compliance with the  
511 requirements of Section 8 of Article LXXXIX of the Amendments to the Constitution  
512 and which do not affect the powers, duties, etc., of state departments, boards,  
513 commissions, etc., or which do not affect generally the laws of the Commonwealth  
514 deposited with the respective clerks subsequent to five o'clock on the third Friday of  
515 January of the first annual session of the General Court shall be referred by the Clerks to  
516 the committees on the Rules of the two branches, acting concurrently. No such matter  
517 shall be admitted for consideration except on report of the committees on Rules of the  
518 two branches, acting concurrently, and then upon approval of two thirds of the members  
519 of each branch voting thereon. Matters upon which suspension of Joint Rule 12 has been  
520 negated shall be placed on file.

521 At any special session called under Rule 26A, however, matters relating to the facts  
522 constituting the necessity for convening such session shall, if otherwise admissible, be  
523 admitted as though filed seasonably in accordance with the first sentence of this rule. Any  
524 recommendations from the Governor shall be similarly considered. This rule shall not be  
525 rescinded, amended or suspended, except by a concurrent vote of two-thirds of the  
526 members of each branch present and voting thereon. [Amended Feb. 7, 18 90; Feb. 2, 18 91; Feb. 7,  
527 18 93; Jan. 10, 18 98; Jan. 9, 18 99; Feb. 15, 19 01; May 4, 19 04; Jan. 31, 19 10; Feb. 2, 19 17; Dec. 22, 19 20; March  
528 30, 19 21; Jan. 30, 19 23; Feb. 15, 19 33; Jan. 12 and Aug. 7, 19 39; Jan. 15, 19 45; Jan. 6, 19 47; May 27, 19 48; Jan.

30, 19 67; March 26, 19 69; Jan. 7, 1971 ; Jan. 15 and Oct. 2, 1973 ; Oct 3, 1983 , June 12, 1995 ; Jan. 26, 2005; July 17, 2003; Jan. 26, 2005; July 21, 2005; Sept. 20, 2005; Feb. 12, 2009.]

**12A.** All formal business of the first annual session of the General Court shall be concluded no later than the third Wednesday in November of that calendar year and all formal business of the second annual session shall be concluded no later than the last day of July of that calendar year.

In order to assist the Senate and House in its analysis and appraisal of laws enacted by the General Court, each joint standing committee, upon conclusion of the formal business of the annual sessions, shall, as authorized by Joint Rule 1, initiate oversight hearings for the purpose of evaluating the effectiveness, application and administration of the subject matter of laws within the jurisdiction of that committee. [Adopted June 12. 1995.]

***Unfinished Business of the Session.***

**12B.** Any matter pending before the General Court at the end of the first annual session and any special session held in the same year shall carry over into the second annual session of the same General Court in the same legislative status as it was at the conclusion of the first annual session or any special session held during that year; provided, however, that any measure making or supplementing an appropriation for a fiscal year submitted to or returned to the General Court by the Governor, under the provisions of Article LXIII of the Amendments to the Constitution, in the first annual session or in a special session held during that year shall cease to exist upon the termination of the first annual session. [Adopted June 12. 1995.]

***Papers to be deposited with the Clerks.***

**13.** Papers intended for presentation to the General Court by any member thereof shall be deposited with the Clerk of the branch to which the member belongs; and all such



papers, unless they be subject to other provisions of these rules or of the rules of the Senate or House, shall be referred by the Clerk, with the approval of the President or Speaker, to appropriate committees, subject to such changes as the Senate or House may make. The reading of papers so referred may be dispensed with, but they shall, except as hereinafter provided, be entered in the Journal of the same on the next legislative day after such reference.

Papers so deposited by any member-elect shall be referred in like manner and shall be printed in advance, conformably to the rules and usages of the Senate or House, and shall be entered in the Journal as soon as may be practicable.

A member or member-elect may include a brief written statement of intent with all papers intended for presentation to the General Court. Upon a favorable report by a joint standing committee, a committee may include a brief written statement of intent. Said written statement shall be dated and be limited in length to one double-spaced typewritten page and shall include the scope of the matter presented for consideration; provided, however, this rule shall not be construed to require the printing of such statement of intent presented pursuant to this rule. [Adopted Feb. 7, 1890 . Amended Feb. 2, 1891 ; Feb. 7, 1893 ; Jan. 25, 1894 ; Dec. 22, 1920 ; May 25, 1923 ; Feb. 15, 1933 ; Jan. 12, 1971 ; June 3, 1985; Feb. 12, 2009 .]

### ***Dockets of Legislative Counsel and Agents.***

**14.** The committees on Rules of the two branches, acting concurrently, shall have authority to prescribe the manner and form of keeping the dockets of legislative counsel and agents which are required by law. [Adopted Feb. 2, 1891; Amended Feb. 19, 1920 .]

*Duties of the Clerk.*

**15.** If any part of the report of a committee over the signature of the chairman or members of the committee is amended in either branch, the Clerk of that branch shall endorse upon the report such amendment.

**16.** All papers, while on their passage between the two branches, may be under the signature of the respective Clerks, except as to the adopting of emergency preambles and the final passage of bills and resolves. Messages may be sent by such persons as each branch may direct. [Amended Feb. 21, 1919 .]

**17.** After bills and resolves have passed both branches to be engrossed, they shall be in the charge of the Clerks of the two branches, who shall prepare the same for final passage in the manner prescribed by law; and when so prepared the same shall be delivered to the Clerk of the House of Representatives; and when the bills have been passed to be enacted or the resolves have been passed in the House, they shall, in like manner, be delivered to the Senate Clerk and Parliamentarian. If a bill or resolve contains an emergency preamble, it shall be delivered in like manner, to the Senate after the preamble has been adopted by the House of Representatives and before the bill or resolve is put upon its final passage in that branch. If the Senate concurs in adopting the preamble, the bill or resolve shall be returned to the House to be there first put upon its final passage, in accordance with the requirements of Joint Rule No. 22. [Amended Feb. 24, 1914 ; Feb. 21, 1919 ; Jan. 7, 1971 .]

**18.** [Omitted in 1971.]

**19.** The Clerk of the branch in which a bill or resolve originated shall make an endorsement on the envelope of the engrossed copy thereof, certifying in which branch

the same originated, which endorsement shall be entered on the journals by the Clerks respectively. [Amended Jan. 28, 1889 ; Feb. 24, 1914 .]

**20.** Bills, resolves and other papers requiring the approval of the Governor shall be laid before him for his approbation by the Senate Clerk and Parliamentarian, who shall enter upon the journal of the Senate the day and date on which the same were so laid before the Governor. [Amended Jan. 28, 1889 ; Jan. 7, 1971 .]

***Printing and Distribution of Documents.***

**21.** The committees on Rules of the two branches, acting concurrently, may establish regulations for the distribution of all documents printed or assigned for the use of the Legislature not otherwise disposed of, and such regulations shall be reported to and be subject to the order of the two branches.

Under the general order to make available a bill or other document, the number printed shall be determined by the Clerks of the two branches as approved by the President of the Senate and the Speaker of the House of Representatives, except that such number, not exceeding two thousand, shall be printed as determined by the committee on Rules on the part of the branch in which the report is filed.

The Clerks of the Senate and House of Representatives, with the approval of the President of the Senate and the Speaker of the House of Representatives, may have printed documents for use of committees.

Leave to report in print shall not be construed to authorize the printing of extended reports of evidence.

Bills, reports and other documents, printed under the general order of either branch, shall be distributed as follows, to wit: two copies to each member of the Senate and

House of Representatives (to be placed on his file under the direction of the Sergeant-at-Arms, if desired by the member); three copies to each Clerk in either branch, and three copies to each reporter in regular attendance, to whom a seat has been assigned in either branch; twenty copies to the Executive; twenty copies to the Secretary's office; six copies to the State Library; one copy to each Public Library in the Commonwealth, which shall make due application therefor to the Sergeant-at-Arms, and shall make proper provision for the transmission and preservation thereof; and, when the document is the report of a committee, ten copies shall be assigned to the committee making the report. The Sergeant-at-Arms shall preserve as many as may be necessary for the permanent files to be placed in the lobbies, and distribute the remainder under such regulations as may be prescribed by said committees, acting concurrently. Bills, reports and other documents shall, whenever practicable, be made available to members electronically and published on the Internet. The committees on Rules of the two branches, acting concurrently, may make such changes in distribution of documents as they deem necessary for expediting the work of the legislature. [Amended Jan. 8, 1886 ; Jan. 28, 1889 ; Jan. 27, 1911 ; Feb. 19, 1920 ; Jan. 6, 1947 ; Apr. 5, 19 67 ; Jan. 7, 1971; Feb. 12, 2009.]

### ***Emergency Measures.***

**22.** The vote on the preamble of an emergency law, which under the requirements of Article XLVIII, as amended by Article LXVII of the Amendments of the Constitution shall, upon request of two members of the Senate or of five members of the House of Representatives, be taken by call of the yeas and nays, shall be had after the proposed law has been prepared for final passage; and neither branch shall vote on the enactment of a bill or on the passage of a resolve containing an emergency preamble until it has been determined whether the preamble shall remain or be eliminated. If the bill contains an

647 emergency preamble, a motion to amend the bill may be received in either branch before  
648 the adoption of the emergency preamble, and the amendment may contain a new  
649 emergency preamble. If the two branches concur in adopting the preamble, the bill or  
650 resolve shall first be put upon its final passage in the House of Representatives. If either  
651 branch fails to adopt the preamble, notice of its action shall be sent to the other branch;  
652 and the bill or resolve, duly endorsed, shall again be prepared for final passage without  
653 the said preamble and without any provision that the bill or the resolve shall take effect  
654 earlier than ninety days after it has become law. Procedure shall be otherwise in  
655 accordance with the joint rules and the rules of the Senate and the House of  
656 Representatives. [Adopted Feb. 21, 1919 . Amended Jan. 30, 1923 ; Jan. 7, 1971; Feb. 20, 2007; Feb. 12, 2009.]

657     **22A.** Bills and resolves passed to be engrossed by both branches and before being  
658 transmitted by the clerks to the Legislative Engrossing Division shall be made available  
659 to the committees on Bills in the Third Reading of the two branches, acting jointly, who  
660 shall examine them to insure accuracy in the text; that the legislation is correct as to form;  
661 that references to previous amendments to any particular law are correct and to insure  
662 proper consistency with the language of existing statutes. These committees, with the  
663 approval of the majority and minority leadership of both branches may make corrections  
664 which are not substantive in nature. The clerks of both branches shall be immediately  
665 notified, in writing, of any such changes. Errors discovered by the committees of a  
666 substantive nature shall be reported to the General Court, which in turn shall take  
667 appropriate action under its rules. Upon completion of examination and possible  
668 correction of any such bills and resolves, the bills and resolves shall be returned to the

669 clerks, who in turn, shall transmit them to the Legislative Engrossing Division to be  
670 prepared for final passage. [Adopted Sept. 16, 1971.]

671 *Legislative Amendments to the Constitution.*

672 **23.** All proposals for amendments to the Constitution referred to a joint committee on  
673 the first annual session of the General Court shall be reported by said committee no later  
674 than the last Wednesday of April in said year, and proposals for amendments to the  
675 Constitution referred to a joint committee subsequent to the last Wednesday in April of  
676 the first annual session shall be reported by said committee no later than the last  
677 Wednesday of April in the second session of the same General Court. The committee  
678 shall file its report, either recommending that the proposal ought to pass or ought not to  
679 pass, with any official papers in its possession that relate thereto, with the Clerk of the  
680 Senate. When the time within which said committees are required to report has expired,  
681 all matters upon which no report has been made shall forthwith be placed in the Journal  
682 of the respective branches, with an adverse report under this rule; and shall then be placed  
683 on file in the office of the Clerk of the Senate. For further information of the members of  
684 the Senate and House of Representatives, the respective Clerks shall also place all such  
685 matters under a separate heading in the Calendar of each branch, as soon as is practicable.  
686 In each branch the report shall be read and forthwith placed on file; and no further  
687 legislative action shall be taken on the measure unless consideration in joint session is  
688 called for by vote of either branch, in accordance with the provisions of Section 2 of Part  
689 IV of Article XLVIII (as amended by Article LXXXI) of the Amendments to the  
690 Constitution. A joint committee to which is referred any recommendation for an  
691 amendment to the Constitution made by the Governor or contained in a report authorized

692 to be made to the General Court may report thereon a proposal for a legislative  
693 amendment, which shall be deemed to have been introduced by the member of the Senate  
694 who reports for the committee; and the procedure as regards reporting, filing and  
695 subsequent action shall be that provided for legislative amendments by this rule. Or it  
696 may report ought not to pass for the reason that no legislation is necessary or that the  
697 recommendation ought not to pass; and in such cases the usual procedure as regards  
698 similar reports by joint committees shall be followed. If such an adverse report is  
699 amended in the Senate by substituting a proposal for a legislative amendment, notice of  
700 the Senate's action shall be sent to the House and said proposal, together with the official  
701 papers relating to the subject, shall be in the custody of the Clerk of the Senate; and if  
702 said report is so amended in the House, the proposal, duly endorsed, together with the  
703 other papers, shall be sent to the Senate for its information and shall be kept in the  
704 custody of its Clerk. No further legislative action shall be taken in either branch on a  
705 proposal so substituted unless consideration in joint session is called for in accordance  
706 with the aforementioned provisions of the Constitution. If either branch calls for the  
707 consideration of any proposal in joint session, notice of its action shall be sent to the  
708 other branch; and it shall then be the duty of the Senate and the House of Representatives  
709 to arrange for the holding of the joint session not later than the second Wednesday in  
710 May. Subject to the requirements of the Constitution, joint sessions or continuances of  
711 joint sessions of the two branches to consider proposals for specific amendments to the  
712 Constitution, and all rules or provisions concerning procedure therein, shall be deter-  
713 mined only by concurrent votes of the two branches. The rules relative to joint  
714 conventions shall apply to the joint sessions of the two houses. [Adopted Feb. 21, 1919. Amended

March 30, 1921; April 11, 1935 ; Jan. 12, 1939; Jan. 15, 1945; Nov. 9, 1951; Jan. 15, 1973; July 1, 1974; Feb. 12, 2009.]

***Executive Reorganization Plans.***

**23A.** Any reorganization plan, accompanied by a bill, submitted by the Governor under the provisions of Article LXXXVII of the Amendments to the Constitution shall be referred by the Clerks of the Senate and the House, with the approval of the President and Speaker, to a joint standing committee within five days of the presentation thereof.

Said committee, to which is referred any such reorganization plan, shall, as required by said Article, not later than thirty days after the presentation of such plan by the Governor, hold a public hearing thereon; and shall not later than ten days after such hearing report that it either approves or disapproves such plan.

When recommending action, the committee shall make, in each branch, a separate report of its recommendations, and shall file said report together with the committee's recommendations and the reasons therefor in writing. Majority and minority reports shall be signed by the members of said committee. Any official papers in the possession of said committee that relate thereto shall be filed with the Clerk of the Senate.

If the committee recommends favorable action, the report shall be that the reorganization plan "ought to be approved". If the committee recommends adverse action, the report shall be that the reorganization plan "ought NOT to be approved". In each instance, the question shall be "Shall this reorganization plan be approved?"

In each branch, the report shall be read and forthwith recorded in the Journal. On the legislative day next following the Journal record, the report shall be placed in the Orders of the Day of the Senate and the House.



738       When the time within which a joint committee is required to report on a reorganization  
739 plan has expired, a matter upon which no report has been made shall forthwith be placed  
740 in the Orders of the Day by the Clerks of each branch and the question shall be "Shall this  
741 reorganization plan be approved?".

742       When such plan is before either branch, no motion relating to said plan shall be  
743 allowed except the motions to lay on the table (only in the Senate), to postpone to a time  
744 certain, or to commit or recommit (at the pleasure of either branch). The motions to take a  
745 recess, to adjourn, the previous question (if provided in the branch debating the issue), to  
746 close debate at a specified time, and the motion to reconsider shall also be in order.

747       A motion to discharge any committee to which is referred or to which is recommitted  
748 a reorganization plan shall not be in order prior to the expiration of forty days after the  
749 Governor's presentation of such plan. After the expiration of said forty days, a motion to  
750 discharge a committee shall be decided by a majority vote of the branch in which the  
751 motion is made.

752       Unless disapproved by a majority vote of the members of either of the two branches of  
753 the General Court present and voting, the General Court not having prorogued within  
754 sixty days from the date of presentation by the Governor, the plan shall be approved and  
755 shall take effect as provided by Article LXXXVII of the Amendments to the Constitution.

756       Within seven days of the expiration of the sixty days from the date of presentation of  
757 said plan by the Governor, unless the question has already been decided, the Clerks of the  
758 Senate and House of Representatives shall place the plan in the Orders of the Day; and no  
759 motions except the motions to take a recess, to adjourn, and previous question, or to close  
760 debate at a specified time, shall be in order.

No such reorganization plan presented to the General Court shall be subject to change or amendment before expiration of such sixty days. [Adopted June 13, 1967; Amended March 27, 1969 ; June 12, 1995; Feb. 12, 2009.]

### ***Joint Conventions.***

**24.** The President of the Senate shall preside in Conventions of the two branches, and such Conventions shall be held in the Representatives' Chamber; the Senate Clerk and Parliamentarian shall be the Clerk of the Convention, and a record of the proceedings of the Convention shall be entered at large on the journals of both branches. [Amended Feb. 20, 2007.]

**25.** When an agreement has been made by the two branches to go into Convention, such agreement shall not be altered or annulled, except by concurrent vote, excepting that it shall be in order to recess the convention from time to time upon a majority vote of said convention. [Amended Jan. 7, 1971 .]

**26.** No business shall be entered on, in Convention, other than that which may be agreed on before the Convention is formed.

### ***Special Sessions.***

**26A.** If written statements of twenty-one members of the Senate and eighty-one members of the House of Representatives, that in their opinion it is necessary that the General Court assemble in special session on a particular date and time specified therein during a recess of the General Court, are filed with their respective Clerks, such Clerks shall forthwith notify all the members of their respective branches to assemble at the State House in Boston, on said date at the time so specified. When so assembled, the first business to be taken up shall be the question of the necessity of so assembling, in accordance with Article I of Section I of Chapter I of Part the Second of the Constitution

of the Commonwealth. If twenty-one members of the Senate and eighty-one members of the House of Representatives judge by vote taken by call of the yeas and nays that such assembling of the General Court is necessary, specifying in such vote the facts constituting such necessity, the General Court shall then complete its organization as a special session, proceed to the consideration of the suspension of Joint Rule 12A which if suspended by the required two-thirds of the members of both branches will permit the General Court to proceed to the consideration of matters properly before it. Nothing herein contained shall prevent the General Court from assembling in any other constitutional manner when it judges necessary. [Adopted Aug. 7, 1939 . Amended March 2, 1943 ; March 27, 19 69 ; May 5, 1979; July 17, 2003; July 21 and September 20, 2005.]

### ***Joint Elections.***

**27.** In all elections by joint ballot a time shall be assigned therefor at least one day previous to such election.

**27A.** In all cases of elections by ballot a majority of the votes cast shall be necessary for a choice, and where there shall be no such a majority on the first ballot the ballots shall be repeated until a majority is obtained; and in balloting, blanks shall be rejected and not taken into the count in the enumeration of votes, excepting that when the number of blanks shall be more than the number of votes received by the candidate having the highest number of votes, then the election shall be declared void and the balloting shall be repeated as provided herein. [Adopted March 27, 1969 .]

**28.** [Omitted March 28, 1972 .]

### ***References to the Committees on Rules.***

**29.** All motions and orders authorizing joint committees to travel or to employ stenographers, or authorizing joint committees or special commissions composed as a

whole or in part of members of the General Court to make investigations or to file special reports, all propositions reported by joint committees which authorize investigations or special reports by joint committees or by special commissions composed as a whole or in part of members of the General Court, all motions or orders proposed for joint adoption which provide that information be transmitted to the General Court, and all matters referred under the provisions of the second paragraph of Joint Rule 12, shall be referred without debate to the committees on Rules of the two branches, acting concurrently, who shall report thereon, in accordance with the provisions of Joint Rule 10. All matters which have been referred under this rule shall, in each instance, be reported back into the branch making such reference. [Adopted Jan. 10, 1898 . Amended Jan. 20, 1904; Jan. 28, 1913; Feb. 19 and Dec. 22, 1920; April 11, 1935; April 22, 1937; Jan. 27, 1955; Jan. 30, 1967; Oct. 18, 1971 .]

**30.** All motions or orders extending the time within which joint committees and the committees on Rules of the two branches, acting concurrently, are required to report shall be referred without debate to the committees on Rules of the two branches, acting concurrently, who shall report recommending what action should be taken thereon. Such extension shall be granted by a concurrent majority vote if recommended by the committees on Rules of the two branches, acting concurrently; but no such extension shall be granted, against the recommendation of the said committees, except by a four-fifths vote of the members of each branch present and voting thereon. This rule shall not be rescinded, amended or suspended, except by a concurrent vote of four-fifths of the members of each branch present and voting thereon. [Adopted Jan. 16, 1903 . Amended Feb. 6, 1912 ; Feb. 19, 1920 ; Jan. 6, 1947 ; Jan. 27, 1955 ; June 7, 1965 .]

*Members.*

**31.** A member of either branch who directly or indirectly solicits for himself or others any position or office within the gift or control of a railroad corporation, street railway company, gas or electric light company, telegraph or telephone company, aqueduct or water company, or other public service corporation, shall be subject to suspension therefor, or to such other penalty as the branch of which he is a member may see fit to impose. [See G. L. 271, sec. 40.] [Adopted May 22, 1902.]

*Accommodations for Reporters.*

**32.** Subject to the approval and direction of the committees on Rules of the two branches, acting concurrently, during the session, and of the President of the Senate and the Speaker of the House of Representatives after prorogation, the use of the rooms and facilities assigned to reporters in the State House shall be under the control of the organizations of legislative reporters known as the Massachusetts State House Press Association and the State House Broadcasters Association. No person shall be permitted to use such rooms or facilities who is not entitled to the privileges of the reporters' galleries of the Senate or of the House. Within ten days after the General Court convenes the Massachusetts State House Press Association and the State House Broadcasters Association shall each transmit to the President of the Senate, the Speaker of the House of Representatives and the Sergeant-at-Arms a list of the legislative reporters with the principal publication or news service which each represents. [Adopted Jan. 27, 1911 . Amended Feb. 24, 1914 ; Feb. 19, 1920 ; April 17, 1925 ; May 23, 1979; Feb. 12, 2009.]

*Suspension of Rules.*

**33.** Any joint rule except the tenth and thirtieth may be altered, suspended or rescinded by a concurrent vote of two-thirds of the members of each branch present and voting thereon. [Amended Feb. 7, 18 93 . Adopted in revised form Jan. 9, 18 99 . Amended Jan. 16, 19 03 ; Jan. 26, 2005 .]

*Audit of Accounts.*

**34.** The committees on Rules of the two branches, acting concurrently, shall provide that an outside independent audit of joint financial accounts be conducted by a certified public accountant no less frequently than at the end of each second fiscal year. A copy of such audit shall be filed with the Clerks of the Senate and House of Representatives and made available for public inspection upon reasonable notice and during regular office hours. [Adopted May 30, 1985 .]

**35.** The committees on Rules of the two branches, acting concurrently, shall reexamine the Joint Rules of the House and Senate as needed, but at least every four years, and shall report to each branch any recommendations it may have to facilitate the work of the respective branches and the joint standing committees. [Adopted June 12, 1995 .]